THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 27364 of 2006

Date: 16.04.2007

Between:

A. Naidu and others.

..... PETITIONERS

AND

State of A.P., rep. by its Secretary,
Education Department,
Secretariat Buildings, Hyderabad and another.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 27364 of 2006

Order:

This writ petition is filed seeking to direct the respondents to fix the pension and pensionary benefits of the petitioners on actual pay drawn on attaining the age of 60 years, counting length of service on the rules issued by the Government and the University, and pay all the arrears up to date.

When the matter is taken up for admission, it is submitted by the learned counsel for the petitioners and admitted to by the learned Government Pleader for Higher Education as well as the learned Standing Counsel appearing for respective respondents that the subject matter of this writ petition is squarely covered by a judgment of this Court passed in Writ Petition No. 5968 of 1990, dated 22.07.2002, which was affirmed by a Division Bench of this Court, by a judgment dated 20.03.2003, in Writ Appeal No.1926 of 2002, wherein the submission that the Andhra Pradesh Revised Pension Rules, 1930 should not be applied for the two years service rendered beyond the period of 58 years of age was rejected, and the finding of the learned single judge that the University shall treat the age of superannuation of the employees therein as 60 years while computing the pension, was upheld.

Following the said judgments, this writ petition is disposed of directing the respondents to compute the pension of the petitioners in accordance with the A.P. Revised Pension Rules, 1980, taking into consideration the two years of service rendered by them beyond the age of 58 years, and pass appropriate orders within a period of two months

from the date of receipt of a copy of this order. No costs.

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N.V. RAMANA, J.

Date: 16.04.2007
Nsr